

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended.

Claims 1-19 are pending in the application. Claims 1-23 are rejected. Claims 1-4, 6, 8-13, and 15-18, and 20 are amended herein. Claims 5, 7, and 21-23 are canceled herein without prejudice.

Applicant's attorney would like to thank Examiner Avellino for the courtesy extended to Applicant's attorney during the telephone interview on January 10, 2005. Applicant's attorney described the claimed invention and also discussed a reference by Huang et al. et al. (U.S. Patent Number 6,571,245), which is used by the Examiner in the present Office Action. The rejection of Claim 1 in the Office Action dated October 19, 2005 was discussed. In particular, the intended meaning of the originally claimed "write-only data path" was discussed. Applicants have amended the claims herein to remove the phrase "write-only data path" and have made other amendment to the claims in accordance with the discussion.

As an initial matter, Applicants respectfully point out that the Examiner has checked boxes on the form PTOL-326, which indicate that the present Office Action is both a Final Office Action and a Non-Final Office Action. Applicants believe that the present Office Action is a Non-Final Office Action, since it is the first action after a Request for Continued Examination.

The Rejections under 35 U.S.C. §103(a)

In View of Huang et al. et al.

The Examiner rejects Claims 1-12 and 15-23 under 35 U.S.C. §103(a) as being unpatentable over Huang et al. (U.S. Patent number 6,571,245). As described above, Claims 5, 7, and 21-23 are canceled herein without prejudice.

The Examiner recognizes that "Huang does not specifically disclose replicating data as respective replicated data on respective write only data paths..." The Examiner, however, uses Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960), as a basis for asserting that "...it is obvious to replicate the invention to produce the intended result." Applicants do not agree that the replicating set forth in original Claim 1 is a replication of the invention. Instead, Applicants submit that the originally claimed replicating is a part of a method, the steps of which are recited in Claim 1, and the replicating is a replicating of data, not a replicating or repeating of any of the steps or elements of Claim 1. Nevertheless, Applicants have replaced the word "replicating" with the word "pushing," which word has support in the specification as recited in a passage below.

The Examiner also asserts in his Response to Arguments that "...when the file is published from the sender to the recipient, and it is inherently written, the link on which the sender utilizes to transmit the file to the recipient is a write-only link."

As described above, in response to the above-described telephone interview, Applicants have removed the phrase "write-only data path" from the claims. Therefore, the position taken by the Examiner with respect thereto is now moot and will not be further discussed.

Applicants submit that amended Claim 1 is patentably distinct over Huang et al., since the cited reference neither describes nor suggests "... storing first private data within a first private data memory associated with a first sharing partner, wherein the first private data is accessible to only the first sharing partner; selecting a portion of the first private data to provide a first private data portion ...[and] pushing, upon initiation by the first sharing partner, data in accordance with the first private data portion from the first sharing partner to the second sharing partner as a first replicated data portion...," as set forth in amended Claim 1. Similarly, Applicants submit that amended Claim 1 is patentably distinct over Huang et al., since the cited reference neither describes nor suggests "...storing second private data within a second private data memory associated with a second sharing partner, wherein the second private data is

accessible to only the second sharing partner; selecting a portion of the second private data to provide a second private data portion...[and] pushing, upon initiation by the second sharing partner, data in accordance with the second private data portion from the second sharing partner to the first sharing partner as a second replicated data portion...," as set forth in amended Claim 1. Support for the amended wording is recited above, in the above passage of the specification from page 8, lines 14-19.

With this arrangement, first private data, which is within the claimed first sharing partner, is particularly secure from tampering by other sharing partners. Similarly, second private data, which is within the claimed second sharing partner, is particularly secure from tampering by the other sharing partners. The other sharing partners do not have the ability to directly access the private data within the sharing partners. In essence, the other sharing partners have no access privileges to the data, which resides within the first sharing partner. The first private data stored within the first sharing partner, as claimed, is accessible only to the first sharing partner. Similarly, the second private data stored within the first sharing partner, as claimed, is accessible only to the first sharing partner. Data in accordance with the first private data is pushed to the second sharing partner, upon initiation by the first sharing partner. The data transfer does not result from a request by the second sharing partner. Similarly, the second sharing partner can push data in accordance with the second private data to the first sharing partner.

In contrast, Huang et al. describes a virtual desktop arrangement, in which data is stored in a network, e.g., 250a, FIG. 2 of Huang et al. Other computer systems, e.g., 210a-210n of FIG. 2, can access selected portions of the data in the network 250a. Essentially, each one of the other computer systems 210a-210n can set up and can have access (access privileges) to applications and data within the network 250a.

Referring to FIG. 6 of Huang et al., each computer system 210a-210n can set up a respective private folder 622, a respective publish folder 624, and a respective friends folder 626. Each one of the folders contains files and/or data, to which one of the computer system 210a-

210n can assigns access privileges to other ones of the computer systems 210a-210n. At column 10, lines 4-14, referring to the friend's folder 626 (FIG. 6), Huang et al. states that

The limited access folder is accessed by clicking on friends folder icon 626 to open a friends folder window 650. The limited access folder contains protected files that are accessible only by those specifically authorized by the user. The extent of the access is also limited to the rights granted by the user, which may include read only, read and write, and others. Each limited access file can be individually tailored with different rights granted to different "friends." For example, friend A may be granted read only access to file X, friend B may be granted full access to the same file, and so on.

With the arrangement of Huang et al. it should be recognized that data, which resides in the network 510a, FIG. 2, is less secure than with the claimed arrangement. In Huang et al., every user of a computer system 210a-210n has direct access to data in the network 510a. A user of one of the computer systems 210a-210n can send a request to the network, i.e., to a site server 230 associated with the network 250a, and the user can read data, can edit data, and/or can download data from the network 250a. Having access privileges, a malicious user could gain access to data to which he is not supposed to have access. The malicious user could also damage data, which resides in the network 250a. Huang et al. is unlike the present invention, which gives no access privileges to other sharing partners, and which instead pushes data to the other sharing partners.

Applicants submit that amended Claim 1 is further patentably distinct over Huang et al., since the cited reference neither describes nor suggests "...altering the first private data portion with the first sharing partner; and automatically pushing, upon initiation by the first sharing partner, data in accordance with the altered first private data portion from the first sharing partner to the second sharing partner as a respective updated replicated data portion to replace the first replicated data portion....," as set forth in amended Claim 1.

As described above, Huang et al. does not describe or suggest any data that is pushed to the computer systems 210a-210n.

In view of the above, Applicants submit that Claim 1 is patentably distinct over Huang et al.

Claims 2-4, 6, 8-12, and 20 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 2-4, 6, 8-12, and 20 are patentably distinct over Huang et al. at least for the reasons discussed above in conjunction with Claim 1.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that Claim 4 is further patentably distinct over Huang et al., since the cited reference neither describes nor suggests "... pushing, upon initiation by the first sharing partner, the first private tagged copied data portion from the first shared memory to a second shared data memory associated with the second sharing partner to provide the first replicated data portion...," as set forth in Claim 4.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that Claim 6 is further patentably distinct over Huang et al., since the cited reference neither describes nor suggests "... pushing, upon initiation by the first sharing partner, the first private tagged data portion from the first private data memory to a shared data memory associated with the second sharing partner to provide the first replicated data portion ...," as set forth in Claim 6.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that Claim 9 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests "... automatically updating, upon initiation by the first sharing partner, at least one of the first private tagged data portion, the first private tagged copied data portion, or the first replicated data portion in accordance with the first private data portion when the first private data portion is altered by the first sharing partner," as set forth in Claim 9.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that Claim 12 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...automatically updating, upon initiation by the first sharing partner, at least one of the first private tagged data portion and the first replicated data portion in accordance with the first private data portion when the first private data portion is altered by the first sharing partner,” as set forth in Claim 12.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that independent Claim 20 is patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...automatically updating at least one of the first private tagged data portion and the first replicated data portion in accordance with the first private data portion when the first private data portion is altered by the first sharing partner,” as set forth in Claim 20.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that independent Claim 15 is patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...the first sharing partner is adapted to push, upon initiation by the first sharing partner, data in accordance with the first private data portion to the second sharing partner ... and ...the second sharing partner is adapted to push, upon initiation by the second sharing partner, data in accordance with the second private data portion to the first sharing partner...,” as set forth in Claim 15.

Claims 16 and 17 depend from and thus include the limitations of Claim 15. Thus, Applicants submit that Claims 16 and 17 are patentably distinct over Huang et al. et al. at least for the reasons discussed above in conjunction with Claim 15.

Applicants believe that the Examiner intended to exclude Claims 18 and 19 from this particular rejection, as he has excluded similar Claims 13 and 14. Applicants note that Claims 13, 14, 18, and 19 are rejected below over Huang et al. in view of Pike et al. Nevertheless, Claims 18 and 19 depend from and thus include the limitations of Claim 15. Thus, Applicants

submit that Claims 18 and 19 are patentably distinct over Huang et al. et al. at least for the reasons discussed above in conjunction with Claim 15.

Applicants submit that Claim 16 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...the first sharing partner server further includes a first shared data memory adapted to receive, upon initiation by the first sharing partner, a first private copied data portion in accordance with the first private data portion, wherein the first private copied data portion is accessible to only the first sharing partner, and the second sharing partner server further includes a second shared data memory adapted to receive, upon initiation by the first sharing partner, the first replicated data portion in accordance with the first private copied data portion from the first shared data memory,” as set forth in Claim 16. With this particular arrangement, a copy of the first private data portion is generated, and it is the copy that is pushed to the second sharing partner. Similarly, with this particular arrangement, a copy of the second private data portion is generated, and it is the copy that is pushed to the first sharing partner.

Applicants submit that Claim 17 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...the second sharing partner server further comprises a shared data memory adapted to receive, upon initiation by the first sharing partner, the first replicated data portion in accordance with the first private data portion from the first private data memory,” as set forth in Claim 17. With this particular arrangement, the first private data portion is pushed to the second sharing partner.

Applicants submit that Claims 18 and 19 are further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests “...military allies...” as set forth in Claims 18 and 19.

In view of the above, Applicants submit that Claims 1-4, 6, 8-12, and 15-20 are patentably distinct over Huang et al. et al.

Huang et al. et al. in View of Pike et al.

The Examiner rejects Claims 13, 14, 18, 19 under 35 U.S.C. §103(a) as being unpatentable over Huang et al. et al. in view of Pike et al. (Defense Data Network, Defense Secure Network; FAS Intelligence Resource Program; February 11, 2000...).

Claims 13 and 14 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 13 and 14 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 1.

Claims 18 and 19 depend from and thus include the limitations of Claim 15. Thus, Applicants submit that Claims 13 and 14 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 15.

In view of the above, Applicants submit that Claims 13, 14, 18, and 19 are patentably distinct over Huang et al. et al., whether taken alone or in combination with Pike et al.

In view of the above Amendment and Remarks, Applicants submit that Claims 1-4, 6, and 8-20 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Respectfully submitted,

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